

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	David S. Goldfarb	)	Examiner:
Serial No.	:	10/790,456	)	W.A. Schlapkohl
Filed	:	March 1, 2004	)	Art Unit:
Conf. No.	:	9599	)	1636
For	:	MATERIALS AND METHODS FOR IDENTIFYING GENES AND/OR AGENTS THAT ALTER REPLICATIVE LIFESPAN	)	

## **RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the July 31, 2006, written restriction requirement, applicant hereby elects with traverse the group corresponding to one of Groups I-LVII where the promoter is a *Gal1* promoter and the cell cycle protein is CDC6. Claims readable on this group include claims 1-12, 16-23, and 26-28.

Applicant traverses this restriction requirement among members of Groups I-LVII on the basis that the promoters responsive to growth medium conditions are functionally equivalent and the proteins required for replication are functionally equivalent. Thus, while the species may be structurally distinct, the species have a similar design, mode of operation, and function.

Applicant further traverses the restriction as between Groups I-CCCXLIV on the basis that the claims 1-28 are closely related and, therefore, require common areas of search and consideration. Since no benefit is derived from imposing this restriction requirement, it should be withdrawn in its entirety.

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In response to the corresponding election of species requirement, applicant hereby elects the subject matter covering growth curve analysis. Elected claims reading on this species include claims 1-12, 16-18, and 26-28.

Respectfully submitted,

Dated: October 2, 2006

/Edwin V. Merkel/

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